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PATENT

ATTORNEY DOCKET NO. 046124-5379

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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| In re Application of: Kazunori YAMAUCHI |) Confirmation No.: 5783 |
| |) |
| Application No.: 10/535,259 |) Group Art Unit: 2856 |
| |) |
| Filed: May 18, 2005 |) Examiner: Unassigned |
| |) |
| For: COLOR MEASURING DEVICE |) |

Commissioner for Patents
U.S. Patent and Trademark Office
Alexandria, VA 22314

Sir:

**INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. § 1.97(b)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicant brings to the attention of the Examiner the documents listed on the attached PTO Form 1449. To the best of the undersigned's knowledge, this Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced Application.

An International Search Report (ISR) dated February 17, 2004 is attached together with five documents listed thereon. The five referenced documents and all additional documents are listed on the PTO Form 1449.

Relevance of any non-English-language document may be ascertained from the attached ISR, the application specification, a corresponding English language publication or an attached English-language abstract.

Applicant respectfully requests that the Examiner consider the ISR and listed documents and evidence that consideration by making appropriate notations on the attached PTO Form 1449.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that the listed documents are material or constitute "prior art." If it should be determined that the listed documents do not constitute "prior art" under United States law, Applicant reserves the right to present to the Office the relevant facts and law regarding the appropriate status of such document.

Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed document, should the document be applied against the claims of the present application.

Except for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this Application, including fees due under 37 C.F.R. § 1.16 and 1.17 which may be required and including any required extension of time fees, *or* credit any overpayment to Deposit Account No. 50-0573. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

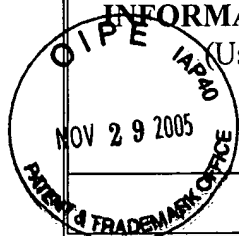
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INFORMATION DISCLOSURE CITATION

(Use several sheets if necessary)

PTO Form 1449

Attorney Docket No.:
046124-5379

Serial No.: 10/535,259

Applicants: Kazunori YAMAUCHI

Page 1 of 1

Filing Date: May 18, 2005

Group Art Unit: 2856

U.S. PATENT DOCUMENTS

| *Examiner Initial | Document Number | Date | Name | Class | Sub Class | Filing Date |
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FOREIGN PATENT DOCUMENTS

| | Document Number | Date | Country | Class | Sub Class | Translation | |
|--|--------------------|------------------|---------|-------|--------------|--------------------|-----------|
| | | | | | | YES | NO |
| | JP 11-326191 | Nov. 26, 1999 | Japan | | | Abstract | |
| | JP 11-083745 | March 26, 1999 | Japan | | | Abstract | |
| | JP 64-026160 | January 27, 1989 | Japan | | | Abstract | |
| | JP 63-269046 | Nov. 7, 1988 | Japan | | | Abstract | |
| | JP 2000-121443 | April 28, 2000 | Japan | | | | X |
| | JP 7-151689 | June 16, 1995 | Japan | | | | X |
| | JP 11-237386 | August 31, 1999 | Japan | | | | X |
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Examiner

Date Considered

Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.